

## 1 I CLAIM:

- 2 1. A method of determining characteristics of samples comprising:
- 3 a. building algorithms of the relationship between sample
- 4 characteristics and absorbed and scattered light from a sample having an interior;
- 5 b. illuminating the interior of a sample with a broadband frequency
- 6 spectrum;
- 7 c. detecting the spectrum of absorbed and scattered light from the
- 8 sample;
- 9 d. analyzing the detected spectrum of absorbed and scattered light from the
- 10 sample with the algorithms; calculating the characteristics of the sample.
- 11 2. The method of claim 1 further comprising:
- 12 a. building the algorithms to generate a regression vector that relates
- 13 the a VIS and NIR spectra to brix, firmness, acidity, density, pH, color and external
- 14 and internal defects and disorders;
- 15 b. storing the regression vector, in a CPU having a memory, as a
- 16 prediction or classification calibration algorithm;
- 17 c. illuminating the sample interior with a spectrum of 250 to 1150nm;
- 18 d. inputting the detected spectrum of absorbed and scattered light
- 19 from the sample interior to a spectrometer;
- 20 e. converting the detected spectrum from analog to digital and
- 21 inputting the converted spectrum to a CPU; combining the spectrum detected;
- 22 f. comparing the combined spectrum with a stored calibration
- 23 algorithm;
- 24 g. predicting the characteristics of the sample.
- 25 3 The method of claim 1 further comprising:
- 26 a. the characteristics are chemical characteristics including acidity, pH
- 27 and sugar content
- 28 4. The method of claim 1 further comprising:
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- 1                   a. the characteristics are physical characteristics including firmness,  
2 density, color, appearance and internal and external defects and disorders.
- 3           5.       The method of claim 1 further comprising:  
4                   a. the characteristics are consumer characteristics.
- 5           6.       The method of claim 1 further comprising:  
6                   a. sampling ~~is of~~ samples from the group of C-H, N-H or O-H  
7 chemical groups;  
8                   b. illuminating of the interior of the sample is with a frequency  
9 spectrum including visible and near infrared light;  
10                  c. building algorithms for the ~~a~~ correlation analysis separately of  
11 Brix, firmness, ph and acidity in relation to the light spectrum output from the  
12 illuminated sample;  
13                  d. detecting the spectrum of absorbed and scattered light from the  
14 sample with a light detector.
- 15           7.       The method of claim 2 further comprising:  
16                   a. illuminating of the interior of the sample with a frequency spectrum  
17 of 250 to 1150 nm;  
18                   b. detecting the spectrum of absorbed and scattered light from the  
19 sample with at least one light detector; the at least one light detector comprising at  
20 least one light detector fiber; shielding the at least one light detector fiber from the  
21 illuminating spectrum;  
22                   c. measuring the spectrum for chlorophyll at around 680 nm;  
23                   d. correlating the characteristics of Brix, firmness, pH and acidity  
24 with the measured spectrum.
- 25           8.       (Currently amended) An apparatus to predict characteristics of a  
26 sample performing the method of claim 1 comprising:  
27                   a. at least one broadband light source; a sample having an sample  
28 surface and an interior; input mechanism of positioning the at least one light source  
29 proximal the sample surface;  
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1                   b. at least one light detector; output mechanism of positioning the at  
2 least one light detector proximal the sample surface;  
3                   c. at least one mechanism of measuring the illumination detected from  
4 the sample.  
5           9.       (Previously Amended Preliminary to Office Action) The apparatus of  
6 claim 8 ~~7~~ further comprising:  
7                   a. the at least one ~~illumination~~ light source produces a spectrum  
8 within the range of 250 to 1150 nm;  
9                   b. the at least one mechanism of measuring the illumination is a  
10 spectrometer; the spectrometer has at least one input;  
11                   c. the at least one light detector is a light pickup fiber; the at least one  
12 light detector collects a spectrum which is received by the at least one spectrometer  
13 input; the spectrometer has at least one spectrometer output channel; a CPU having  
14 at least one CPU input; the at least one CPU input receiving the at least one  
15 spectrometer output; at least one computer program; the CPU is controlled by the at  
16 least one computer program; the CPU having at least one CPU output; the at least one  
17 computer program causing the at least one CPU output to perform the steps of 1)  
18 calculation of absorbance spectra (173) occurs for each at least one spectrometer  
19 output channel 1...n, 2) combine absorbance spectra (174) into a single spectrum  
20 encompassing the entire wavelength range detected from the sample by spectrometers  
21 1...n (170), 3) mathematical preprocessing or preprocess (175), ~~e.g. by~~ smoothing or  
22 box car smooth or calculate derivatives, precedes 4) the prediction or predict (176),  
23 for each at least one spectrometer output channel, comparing the preprocessed  
24 combined spectra (175) with at least one stored calibration spectrum or at least one  
25 calibration algorithm(s) (177) for each sample characteristic 1...x (178),  
26 ~~e.g. comprising~~ brix, firmness, acidity, density, pH, color and external and internal  
27 defects and disorders, for which the sample is examined, followed by 5) decisions or  
28 further combinations and comparisons of the results of quantification of each  
29 characteristic, 1...x, e.g. comprising determination of internal and or external defects  
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1 of disorders (179), (180); determination of color (181); determination of indexes such  
2 as of eating quality index 182, appearance quality index (183) and concluding with  
3 sorting or other decisions (184); 6) sorting or other decisions (184) may be input  
4 process controllers to control packing/sorting lines or may determine the time to  
5 harvest, time to remove from cold storage, and time to ship;

6 d. the sample is from the chemical group of C-H, N-O, and O-H.

7 ~~9A. (Claim Added Preliminary to Office Action) The apparatus of claim 9~~  
8 further comprising:

9 ~~\_\_\_\_\_ A. the at least one spectrometer output are converted from analog to~~  
10 ~~digital by at least one A/D converter which become, for each at least one~~  
11 ~~spectrometer output channel, input to at least one CPU input, the at least one CPU~~  
12 ~~output provided for each at least one spectrometer output channel 1.....n.~~

13 ~~10. The apparatus of claim 8 further comprising:~~

14 ~~\_\_\_\_\_ A. the least one illumination source is a is a tungsten halogen lamp;~~  
15 ~~the illumination is transmitted to the sample surface by fiber optics;~~

16 ~~\_\_\_\_\_ B. the at least one light detector is a fiber optics light pickup;~~

17 ~~\_\_\_\_\_ C. the at least one spectrometer comprises a 1026 linear array~~  
18 ~~detector;~~

19 ~~11. The apparatus of claim 9 further comprising:~~

20 ~~\_\_\_\_\_ A. the at least one illumination source is an illumination fiber.~~

21 ~~12. The apparatus of claim 10 further comprising:~~

22 ~~\_\_\_\_\_ A. the an at least one illumination source comprises a plurality of~~  
23 ~~illumination fibers;~~

24 ~~\_\_\_\_\_ B. the plurality of illumination fibers are arrayed such that each~~  
25 ~~illumination fiber is equidistant from adjoining illumination fibers, the at least one~~  
26 ~~light detector is positioned centrally in the array of illumination fibers.~~

27 ~~13. The apparatus of claim 11 further comprising:~~

28 ~~\_\_\_\_\_ A. the plurality of illumination fibers are comprised of 32~~  
29 ~~illumination fibers.~~

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- 1       ~~14. The apparatus of claim 11 further comprising:~~  
2       ~~— A. the illumination source is a 5w tungsten halogen lamp.~~  
3       ~~15. The apparatus of claim 11 further comprising:~~  
4       ~~— A. the plurality of illumination sources is comprised of two 50 w light~~  
5 ~~sources;~~  
6       ~~— B. the at least one light detector is comprised of a plurality of light~~  
7 ~~detectors.~~  
8       ~~16. The apparatus of claim 14 further comprising:~~  
9       ~~— A. the plurality of light detectors are arrayed such that each light~~  
10 ~~detector is equidistant from adjoining light detectors.~~  
11       ~~17. The apparatus of claim 15 further comprising:~~  
12       ~~— A. the plurality of light detectors comprise twenty-two light detectors.~~  
13       ~~18. The apparatus of claim 11 further comprising:~~  
14       ~~— A. the illumination source comprised of an ellipsoidal reflector with~~  
15 ~~having a 50 w bulb with cooling fan; the plurality of illumination fibers is comprised~~  
16 ~~of at least one fiber optic fiber for transmission of the light source to the sample~~  
17 ~~surface.~~  
18       ~~— B. the at least one fiber optic and the at least one light detector spring~~  
19 ~~biased against the sample surface; the pressure exerted by the spring biasing limited~~  
20 ~~by the character of the sample.~~  
21       ~~19. The apparatus of claim 10 further comprising:~~  
22       ~~— A. the at least one illumination source is a 5 w tungsten halogen lamp;~~  
23 ~~the at least one light detector is a single fiber optic fiber; the illumination source is~~  
24 ~~positioned against the sample surface 180 degrees distal to the detection fiber.~~  
25       ~~20. The apparatus of claim 11 further comprising:~~  
26       ~~— A. a polarization filter is positioned between the at least one~~  
27 ~~illumination source and the sample;~~  
28       ~~— B. a matching polarization filter is positioned between the at least one~~  
29 ~~light detector and the sample.~~  
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1       ~~21. The apparatus of claim 19 further comprising:~~

2       ~~— A. the polarization filter is a linear polarization filter, the matching~~  
3       ~~polarization filter is a linear polarization filter rotated 90 degrees in relation to the~~  
4       ~~polarization filter.~~

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7       ~~22. An apparatus performing the method of claim 1 comprising:~~

8       ~~— A. at least one light source; a sample having an sample surface and an~~  
9       ~~interior; input mechanism of positioning the at least one light source proximal the~~  
10       ~~sample surface; at least one shutter intermediate the at least one light source and the~~  
11       ~~sample; the at least one light source having a lamp output;~~

12       ~~— B. at least one light detector; output mechanism of positioning the at~~  
13       ~~least one light detector proximal the sample surface; at least one collimating lens~~  
14       ~~intermediate the at least one light detector and the sample surface; at least one~~  
15       ~~mechanism of measuring the illumination detected from the sample surface;~~

16       ~~— C. at least one reference light detector directed to the lamp output; at~~  
17       ~~least one shutter intermediate the at least one reference light detector and the at least~~  
18       ~~one lamp output; at least one mechanism of measuring the illumination detected from~~  
19       ~~the lamp output.~~

20       ~~23. The method of claim 2 further comprising:~~

21       ~~A. using the predicted characteristics of the sample in combination as~~  
22       ~~follows: using the ratio of the sugar content to acid content to better predict eating~~  
23       ~~quality, taste, sweet/sour ratio; using the combined data from two or more of the~~  
24       ~~following: sugar content, acid content, pH, firmness, color, external and internal~~  
25       ~~disorders to better predict eating quality.~~

26       ~~24. The method of claim 2 further comprising:~~

27       ~~A. sensing sample data including sensing by sample presence sensing means~~  
28       ~~the presence or absence of a sample conveyed on a sample conveyor while in motion;~~  
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1 ~~sensing by sample position sensing means the position/location of the sample 30~~  
2 ~~relative to the point of spectrum measurement; presence sensing means and position~~  
3 ~~sensing means having outputs to a computer program controlled CPU; the computer~~  
4 ~~program controlled CPU determining if the sample 30 being measured is at the~~  
5 ~~optimal location(s) for spectrum measurement; the computer program controlled~~  
6 ~~CPU determining if a sample is present.~~

7 ~~24A. The method of claim 24 further comprising:~~

8 ~~A. presence sensing means is a proximity sensing means.~~

9 ~~24B. The method of claim 24A further comprising:~~

10 ~~A. position sensing means is an encoder or pulse generator (330) detecting~~  
11 ~~sample conveyor (295) movement and providing one or more electronic or digital~~  
12 ~~signals to a CPU (172) which initiates, by computer program control, control signals~~  
13 ~~to initiate and stop acquisition of spectra.~~

14 ~~24C. The method of claim 24B further comprising:~~

15 ~~A. determining by computer program controlled CPU timing for performing~~  
16 ~~reference testing of light source lamp, spectrometer performing of reference testing of~~  
17 ~~light source lamps and of spectrometer receiving spectra input from detectors.~~

18 ~~24D. The method of claim 24C further comprising:~~

19 ~~A. testing of reference including measurement of dark spectra and/or~~  
20 ~~reference spectra and/or standard/calibration samples.~~

21 ~~24E. The method of claim 24D further comprising:~~

22 ~~A. light source lamp light collection achieved using a collimating lens (78)~~  
23 ~~and/or other light transmission means including for example fiber-optics to transfer~~  
24 ~~the light that has interacted with the sample (30) to the spectrometer(s) (170)~~  
25 ~~detectors (200). If no sample (30) is present, other reference measurements are made~~  
26 ~~to improve stability and accuracy such as previously mentioned dark spectra,~~  
27 ~~reference spectra (lamp intensity and color output), and standard/calibration samples,~~

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1 ~~which may be optical filters or polymers or organic material with known and~~  
2 ~~repeatable spectral characteristics. Measurements that are made when no sample is~~  
3 ~~present include, but are not limited to 1) measuring a reference spectrum (intensity~~  
4 ~~vs. wavelength) of the light source(s), 2) measuring the dark current (no light~~  
5 ~~conditions) of one or more spectrometer(s) (170) detector(s) (200), including but not~~  
6 ~~limited to the sample spectrometer(s) (170) and the reference spectrometer(s) (170);~~  
7 ~~and 3) standard or calibration samples or filters (130) or material.~~

8 ~~25. The apparatus of claim 8 further comprising:~~

9 ~~A. sample presence sensing means for sensing of the presence or absence of a~~  
10 ~~sample conveyed on a sample conveyor while in motion; sample position sensing~~  
11 ~~means of the position/location of the sample (30) relative to the point of spectrum~~  
12 ~~measurement; presence sensing means and position sensing means having outputs to~~  
13 ~~a computer program controlled CPU, the computer program controlled CPU~~  
14 ~~determining if the sample (30) being measured is at the optimal location(s) for~~  
15 ~~spectrum measurement, the computer program controlled CPU determining if a~~  
16 ~~sample is present.~~

18 ~~25A The apparatus of claim 25 further comprising:~~

19 ~~A. presence sensing means is a proximity sensing means.~~

20 ~~25B. The apparatus of claim 25A further comprising:~~

21 ~~A. position sensing means is an encoder or pulse generator (330) detecting~~  
22 ~~sample conveyor (295) movement and providing one or more electronic or digital~~  
23 ~~signals to a CPU (172) which initiates, by computer program control, control signals~~  
24 ~~to initiate and stop acquisition of spectra.~~

25 ~~25C. The apparatus of claim 25B further comprising:~~

26 ~~A. computer program controlled CPU timing for performing reference testing~~  
27 ~~of light source lamp, spectrometer performing of reference testing of light source~~  
28 ~~lamps and of spectrometer receiving spectra input from detectors.~~

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1       ~~25D. The apparatus of claim 25C further comprising:~~

2       ~~A. reference testing including measurement of dark spectra and/or reference~~  
3 ~~spectra and/or standard/calibration samples.~~

4       ~~25E. The apparatus of claim 25D further comprising:~~

5       ~~A. light source lamp light collection achieved using a collimating lens (78)~~  
6 ~~and/or other light transmission means including for example fiber-optics to transfer~~  
7 ~~the light that has interacted with the sample (30) to the spectrometer(s) (170)~~  
8 ~~detectors (200). If no sample (30) is present, other reference measurements are made~~  
9 ~~to improve stability and accuracy such as previously mentioned dark spectra,~~  
10 ~~reference spectra (lamp intensity and color output), and standard/calibration samples,~~  
11 ~~which may be optical filters or polymers or organic material with known and~~  
12 ~~repeatable spectral characteristics. Measurements that are made when no sample is~~  
13 ~~present include, but are not limited to 1) measuring a reference spectrum (intensity~~  
14 ~~vs. wavelength) of the light source(s), 2) measuring the dark current (no light~~  
15 ~~conditions) of one or more spectrometer(s) (170) detector(s) (200), including but not~~  
16 ~~limited to the sample spectrometer(s) (170) and the reference spectrometer(s) (170),~~  
17 ~~and 3) standard or calibration samples or filters (130) or material.~~

19       ~~26. The method of claim 2 further comprising:~~

20       ~~A. measuring by reference measurement changes in light source lamp~~  
21 ~~intensity or color output, a reference spectrometer output and output of spectrometer~~  
22 ~~receiving sample spectra input from detectors; transmitting light from light source~~  
23 ~~lamps to the reference spectrometer with detector using a reference light transmission~~  
24 ~~means.~~

25       ~~26A. The method of claim 26 further comprising:~~

26       ~~A. using fiber-optics as the reference light transmission means.~~

27       ~~26B. The method of claim 26 further comprising:~~

28       ~~A. using a light pipe as the reference light transmission means.~~

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1       ~~26C. The method of claim 26 further comprising:~~

2       ~~A. positioning the reference light transmission means, at the light source~~  
3 ~~lamp, to allow only light from the light source lamp to enter the reference light~~  
4 ~~transmission means.~~

5       ~~26D. The method of claim 26C further comprising:~~

6       ~~A. placing at least one light shutter intermediate each light source lamp and~~  
7 ~~each reference light transmission means; opening and closing the at least one light~~  
8 ~~shutter by shutter control means.~~

9       ~~26E. The method of claim 26 further comprising:~~

10       ~~A. measuring, by the reference spectrometer, each light source lamp~~  
11 ~~separately, inputting the reference spectrometer output to the computer controlled~~  
12 ~~CPU, storing in the CPU intensity vs. wavelength spectrum profile for each light~~  
13 ~~source lamp; comparing the stored intensity vs. wavelength spectrum with the~~  
14 ~~reference spectrometer output, determining from the comparison the condition of the~~  
15 ~~light source lamp.~~

16       ~~26F. The method of claim 2 further comprising:~~

17       ~~A. using the detected spectrum as a reference spectrum, for purposes of~~  
18 ~~calculating an absorbance (or  $\log 1/R$ ) spectrum, which is linear with concentration~~  
19 ~~(e.g., percent Brix or acidity or pounds of firmness, etc.).~~

20       ~~26G. The method of claim 26D further comprising:~~

21       ~~A. closing all of the light shutters of the reference light transmission means;~~  
22 ~~allowing a dark current (no light condition) measurement of the spectrometer 170 detector(s)~~  
23 ~~200; measuring the dark current and its intensity value at each wavelength (or detector)~~  
24 ~~pixel; subtracting the measured dark current from a reference spectrum obtained with the~~  
25 ~~shutters 330 open.~~

26       ~~26H. The method of claim 26 further comprising:~~

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1       ~~A. measuring a reference spectrometer output and a sample spectrometer~~  
2       ~~output dark current, shielding by shielding means, the input to the reference~~  
3       ~~spectrometer and the input to the sample spectrometer, inputting the reference~~  
4       ~~spectrometer output and the sample spectrometer to the computer controlled CPU;~~  
5       ~~subtracting the output measured from the reference spectrometer, subtracting the output~~  
6       ~~measured from the sample spectrometer.~~

7       ~~27. The apparatus of claim 8 further comprising:~~

8       ~~A. at least one light detector 80 having at least one output 82 to at least one~~  
9       ~~spectrometer 170 having at least one detector 200; at least one collimating lens 78~~  
10       ~~intermediate the at least one light detector 80 and a sample 30; the at least one light~~  
11       ~~detector 80 positioned to detect light from the sample 30; at least one light source 120~~  
12       ~~lamp 123; a light shielding means intermediate the at least one light source 120 lamp~~  
13       ~~123 and a sample 30; at least one aperture 310 in the light shielding means to allow~~  
14       ~~illumination of the sample 30 by the at least one light source 120 lamp 123; at least~~  
15       ~~one light interruption means intermediate the at least one light source 120 lamp 123~~  
16       ~~and the at least one aperture 310; the at least one light interruption means operable by~~  
17       ~~at least one light interruption control means; the at least one light interruption control~~  
18       ~~means receiving control signals from at least one CPU 172 having at least one light~~  
19       ~~interruption operating control output; at least one reference light transmitting means~~  
20       ~~receiving reference light output from the at least one light source 120 lamp 123; at~~  
21       ~~least one reference light interruption means intermediate the at least one light source~~  
22       ~~120 lamp 123 and the at least one reference light transmitting means; the at least one~~  
23       ~~reference light interruption means operable by at least one reference light interruption~~  
24       ~~means control means; the at least one reference light interruption means control~~  
25       ~~means 305 receiving control signals from at least one CPU 172 having at least one~~  
26       ~~reference light interruption operating control output 307; the at least one reference~~  
27       ~~light transmitting means 81 providing an input to the at least one spectrometer 170~~

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1 ~~detector 200, the at least one CPU 172 providing at least one lamp power output 125~~  
2 ~~to the at least one light source 120 lamp 123, the at least one spectrometer 170,~~  
3 ~~receiving input from at least one reference light transmitting means 81 having at least~~  
4 ~~one output 82 received as in input to the at least one CPU 172, the spectrometer~~  
5 ~~output 82 capable of A/D conversion to form input to the at least one CPU 172, the at~~  
6 ~~least one spectrometer 170, receiving input from at least one detector output 82~~  
7 ~~received as in input to the at least one CPU 172, the spectrometer output 82 capable~~  
8 ~~of A/D conversion to form input to the at least one CPU 172, mounting means to~~  
9 ~~mount light sources 120 lamps 123, detectors 80, light interruption means including~~  
10 ~~shutters 300, shutter control means 305, reference light transmitting means 81 and~~  
11 ~~case 250, encoder/pulse generator 330 input to CPU 172 providing sample conveyor~~  
12 ~~295 movement data, computer program to operate CPU 172 in data collection and~~  
13 ~~control functions:~~

15 ~~28. The method of 26 further comprising:~~

16 ~~A. measuring, as a reference measurement, the light source 120 lamp(s) 123-~~  
17 ~~intensity vs. wavelength output using reflecting means 360, positioning reflecting means 360~~  
18 ~~to reflect light from light source lamps to a light detector having a light detector output~~  
19 ~~which is received by a spectrometer detector:~~

20 ~~28A. The method of 28 further comprising:~~

21 ~~A. positioning the reflecting means, by reflection position means, to a position to~~  
22 ~~reflect light from light source lamps to a light detector as dictated by reflecting control~~  
23 ~~means 308, as an output from a CPU 172, controlling the reflection position means, the CPU~~  
24 ~~172, via means, detecting the presence or absence of a sample 30 and, when a reference~~  
25 ~~measurement is to be made, inserting the reflecting means as dictated by reflecting control~~  
26 ~~means 308 controlling the reflection position means as an output from a computer program~~  
27 ~~controlled CPU 172, withdrawing the reflecting means as dictated by reflecting control~~

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1 means ~~308~~controlling the reflection position means as an output from a computer program  
2 controlled CPU 172.

3 29. ~~The apparatus of claim 8 further comprising:~~

4 A. ~~reflecting means, positioned by reflection position means, to a position to reflect~~  
5 ~~light from light source lamps to a light detector as dictated by reflecting control means 308,~~  
6 ~~as an output from a CPU 172, controlling the reflection position means, the CPU 172, via~~  
7 ~~means, detecting the presence or absence of a sample 30 and, when a reference measurement~~  
8 ~~is to be made, inserting the reflecting means as dictated by reflecting control means 308~~  
9 ~~controlling the reflection position means as an output from a computer program controlled~~  
10 ~~CPU 172, withdrawing the reflecting means as dictated by reflecting control means~~  
11 ~~308~~controlling the reflection position means as an output from a computer program  
12 controlled CPU 172.

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14 30. ~~The apparatus of claim 8 further comprising:~~

15 A. ~~a light reflecting or diffusing body for obtaining the reference spectrum~~  
16 ~~may also be obtained by mechanical insertion of reference means 430, as seen in Fig.~~  
17 ~~12 and Fig. 13, in or near the location where actual sample 30 is normally measured,~~  
18 ~~which is between the light source 120 lamp(s) 123 and reference light transmission~~  
19 ~~means 320 leading to the sample spectrometer 170 detector 200(s), insertion is by~~  
20 ~~insertion means including but not limited to an actuator system 400 capable, upon~~  
21 ~~receiving control signals or means as recognized by those of ordinary skill including~~  
22 ~~control signals or means provided from a CPU 172, of operation of an actuator 410~~  
23 ~~causing a piston 420 to extend 421 and retract 422 as seen in Fig. 12 and 13, power,~~  
24 ~~including for example electrical, pneumatic, hydraulic and other means, is provided~~  
25 ~~to operate the actuator by power transmission means 440 as will be appreciated by~~  
26 ~~those of ordinary skill.~~

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28 31. ~~The method of claim 2 further comprising:~~

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1       ~~A. illuminating, with at least one light source lamp, the sample interior while~~  
2       ~~the sample is rolling or revolving, where a rolling measurement generally improving~~  
3       ~~whole product measurement.~~

4       ~~32. The method of claim 2 further comprising:~~

5       ~~A. illuminating, with at least one light source lamp, the sample interior while~~  
6       ~~the sample is not rolling or revolving, where a non-rolling measurement provides~~  
7       ~~better accuracy and introduces less spectral noise due to movement.~~

8       ~~33. The method of claim 2 further comprising:~~

9       ~~A. obtaining, as a sample 30 passes by the point of spectrum acquisition;~~  
10       ~~multiple spectra, where each spectrum representing a different measurement location~~  
11       ~~or area on the product.~~

12       ~~34. The method of claim 2 further comprising:~~

13       ~~A. optimizing signal-to-noise and accuracy with small and large samples by 1)~~  
14       ~~determining the size or weight of the sample by weight or mass sensors common to the~~  
15       ~~industry; 2) utilizing a color sorter or defect sorter to provide data, e.g., from camera or CCD~~  
16       ~~images; 3) utilizing other size sensors based on magnetic, inductive, light reflectance or~~  
17       ~~multiple light beam curtains, common to other industries.~~

18       ~~34A. The method of claim 34 further comprising:~~

19       ~~A. adjusting, in accordance with the relative size of the sample, the hardware~~  
20       ~~spectrum acquisition parameters or the amount of light, e.g., by varying an aperture 310 size,~~  
21       ~~to provide an improved signal-to-noise ratio spectrum for large samples 30 and/or to prevent~~  
22       ~~detector 80 saturation by light for small product sample 30, e.g., detector 80 exposure or~~  
23       ~~integration time can be set for longer time periods for large product samples 30 and for~~  
24       ~~shorter time periods for small product.~~

25       ~~35. The method of claim 2 further comprising:~~

26       ~~A. improving accuracy by inspection of multiple individual spectra collected from a~~  
27       ~~single sample; removing poor quality or "outlier" spectra; calculating the absorbance~~  
28       ~~of the sample.~~

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1 spectrum from the raw data collected for dark, reference and sample; inspecting each  
2 individual spectrum from the series or batch of spectra acquired for each individual product  
3 sample by a computer program controlled CPU or by programmed hardware, deleting poor  
4 quality spectra from this batch of spectra; using the remaining spectra for constituent or  
5 property prediction; combining the retained spectra of the product sample with the  
6 appropriate reference and dark current measurements to produce an absorbance spectrum as  
7 follows: absorbance spectrum =  $-\log_{10} \left[ \frac{\text{sample intensity spectrum} - \text{sample dark current}}{\text{reference intensity spectrum} - \text{reference dark current spectrum}} \right]$  i.e. the  
8 spectrum) / (reference intensity spectrum - reference dark current spectrum)] i.e. the  
9 absorbance spectrum is equal to the negative logarithm (base 10) of the ratio of the dark  
10 current corrected sample spectrum to the dark current corrected reference spectrum:  
11

12 36. The method of claim 35 further comprising:

13 A. combining all of the absorbance spectra for each product sample to produce a  
14 mean or average absorbance spectrum of the product sample; using this average absorbance  
15 spectra to compute the sample component, characteristic or property of interest based on a  
16 previously stored calibration algorithm.

17 37. The method of claim 35 further comprising:

18 A. using each absorbance spectrum individually with the previously stored  
19 calibration algorithm to compute multiple results of the sample component, characteristic or  
20 property of interest for an individual product sample; determining the average or mean  
21 component, characteristic or property of interest by summing all of the values and dividing  
22 the resultant sum by the number of absorbance spectra used:

23 38. The method of claim 2 further comprising:

24 A. measuring samples and linking location on product sample where visible/NIR  
25 data was collected with the same location that will be measured by the laboratory reference  
26 technique; calibrating performed as follows: 1) measuring spectra of product sample 30 and  
27 measuring absorbance spectra; correcting for reference and dark current and storing  
28 measurements; 2) undertaking standard laboratory measurements on the product sample 30;  
29  
30

1 observing that it is important to the success of the NIR method that the portion of the  
2 sample 30 that is interrogated between the light source(s) 120 lamps 123 and light  
3 collection(s) detectors, e.g., light detectors 80, leading to the spectrometer(s) 170 detectors  
4 200 is the same as that portion measured by the standard laboratory technique.

5 ~~38A. The method of claim 38 further comprising:~~

6 ~~A. transporting samples, by a sample conveyors 295, to the NIR measurement~~  
7 ~~location including to a light detector; selecting rolling or not rolling sample conveyor 295~~  
8 ~~means, where rolling analyzing the entire sample for the component, characteristic or~~  
9 ~~property of interest; averaging, if calibration algorithms are constructed in this way (using~~  
10 ~~measurements of rolling product); all of the retained spectra for that individual product to~~  
11 ~~produce an average absorbance spectrum and the total product component or property is~~  
12 ~~assigned to this one absorbance spectrum.~~

14 ~~38B. The method of claim 38 further comprising:~~

15 ~~A. transporting samples, by a sample conveyor 295, to the NIR measurement~~  
16 ~~location including to a light detector; selection not rolling sample conveyor 295 means;~~  
17 ~~performing laboratory measurements on the same portion of product sample 30 that spectra~~  
18 ~~were taken from; determining whether to separate a sample into smaller sub-portions prior to~~  
19 ~~laboratory analysis; adjusting the time period of NIR data acquisition to shorter or longer~~  
20 ~~times, corresponding to the measurement of smaller or larger product samples 30;~~  
21 ~~respectively; associating, with each sub-portion of the product sample 30, one or more~~  
22 ~~spectra associated with that particular location; assigning the laboratory determined~~  
23 ~~component, characteristic or property of interest to each spectrum or spectra from that~~  
24 ~~particular location.~~

26 ~~39. The method of claim 2 further comprising:~~

27 ~~A. performing mathematical processing on absorbance spectra prior to~~  
28 ~~conducting statistical correlation analysis and calibration model building; pre-~~  
29 ~~processing absorbance spectra using a bin and smooth function; relating by Partial~~

30



1 ~~least squares analysis (or variants thereof such as piecewise direct standardization)~~  
2 ~~the processed absorbance spectrum to the assigned component and property values~~  
3 ~~such as Brix, acidity, pH, firmness, color, internal or external disorder severity and~~  
4 ~~type, and eating quality.~~

5 ~~40. The method of claim 2 further comprising:~~

6 ~~A. minimizing the number of samples needed to develop a calibration model;~~  
7 ~~collecting spectra on all test samples; performing, prior to destructive laboratory~~  
8 ~~measurements, principal components analysis (PCA) on the absorbance spectra;~~  
9 ~~generating Resultant Score plots from PCA (e.g., Score 1 vs. Score 2, Score 3 vs.~~  
10 ~~Score 4, etc.); selecting a subset of the original samples (e.g., 40% of the original~~  
11 ~~number of samples) from the Score plots in either a random fashion or by selecting~~  
12 ~~samples that, as a group, yield a similar range, mean and standard deviation of score~~  
13 ~~values compared to the entire group of original samples 30.~~

14 ~~41. The method of claim 40 further comprising:~~

15 ~~A. periodically requiring calibration updates to maintain measurement~~  
16 ~~accuracy; minimizing the efforts of calibration updates; analyzing, as fruit or~~  
17 ~~vegetable samples are in a packing and sorting warehouse, the visible/near infrared~~  
18 ~~spectra; examining by computer program controlled CPU, and determining if the~~  
19 ~~sample qualifies as a potential calibration update sample; selecting calibration update~~  
20 ~~samples 30 which cover low to high component values and which have Score values~~  
21 ~~that cover the same range as the original sample's 30 Score values.~~

22

23

24 10 The apparatus of claim 9 further comprising:

25

26 a. the at least one spectrometer output are converted from analog to digital  
27 by at least one A/D converter which become, for each at least one spectrometer output  
28 channel, input to at least one CPU input; the at least one CPU output provided for each at  
29 least one spectrometer output channel 1...n.

30

- 1           11     The apparatus of claim 8 further comprising:  
2                 a. the least one illumination light source is a tungsten halogen lamp; the  
3 illumination is transmitted to the sample surface by fiber optics;  
4                 b. the at least one light detector is a fiber optics light pickup;  
5                 c. the at least one spectrometer comprises a 1026 linear array detector;  
6  
7           12     The apparatus of claim 9 further comprising:  
8                 a. the at least one light illumination source is at least one illumination  
9 fiber.  
10  
11           13     The apparatus of claim 11 further comprising:  
12                 a. the at least one illumination light source comprises a plurality of  
13 illumination fibers;  
14                 b. the plurality of illumination fibers are arrayed such that each illumination  
15 fiber is equidistant from adjoining illumination fibers; the at least one light detector is  
16 positioned centrally in the array of illumination fibers.  
17  
18  
19           14     The apparatus of claim 12 further comprising:  
20                 a. the at least one light detector source is a plurality of illumination  
21 fibers are comprised of 32 illumination fibers.  
22  
23           15     The apparatus of claim 12 further comprising:  
24                 a. the at least one illumination light source is a 5w tungsten halogen lamp.  
25  
26           16     The apparatus of claim 12 further comprising:  
27                 a. the at least one illumination light source is ~~the~~ a plurality of  
28 illumination sources is comprised of two 50 w light sources;  
29  
30

1                    b. the at least one light detector is comprised of a plurality of light  
2 detectors.

3

4            17     The apparatus of claim 15 further comprising:

5                    a. the at least one ~~illumination~~ light source is a ~~the~~ plurality of light  
6 detectors ~~are arrayed~~ such that each light detector is equidistant from adjoining light  
7 detectors.

8

9

10           18     The apparatus of claim 16 further comprising:

11                    a. the at least one light detector is a ~~the~~ plurality of light detectors  
12 comprising twenty-two light detectors.

13

14           19     The apparatus of claim ~~12~~ 11 further comprising:

15                    a. the at least one ~~illumination~~ light source comprised of an ellipsoidal  
16 reflector with having a 50 w bulb with cooling fan; the at least one ~~illumination~~ light source  
17 is a ~~the~~ plurality of illumination fibers is comprised of at least one fiber optic fiber for  
18 transmission of the light source to the sample surface.

19                    b. the at least one fiber optic and the at least one light detector spring biased  
20 against the sample surface; the pressure exerted by the spring biasing limited by the  
21 character of the sample.

22

23                    20     The apparatus of claim 11 further comprising:

24                    a. the at least one ~~illumination~~ light source is a 5 w tungsten halogen lamp;  
25 the at least one light detector is a single fiber optic fiber; the ~~illumination~~ light source is  
26 positioned against the sample surface 180 degrees distal to the detection fiber.

27

28

29           21     The apparatus of claim 12 further comprising:

30

- 1                    a. a polarization filter is positioned between the at least one illumination  
2 light source and the sample;  
3                    b. a matching polarization filter is positioned between the at least one light  
4 detector and the sample.  
5  
6                    22    The apparatus of claim ~~20~~ 21 further comprising:  
7                    a. the polarization filter is a linear polarization filter; the matching  
8 polarization filter is a linear polarization filter rotated 90 degrees in relation to the  
9 polarization filter.  
10  
11                    23    An apparatus to predict characteristics of a sample performing the method of  
12 claim 1 comprising:  
13                    a. at least one broadband light source; a sample having an sample surface  
14 and an interior; input mechanism of positioning the at least one light source proximal the  
15 sample surface; at least one shutter intermediate the at least one light source and the sample;  
16 the at least one light source having a lamp output;  
17                    b. at least one light detector; output mechanism of positioning the at least  
18 one light detector proximal the sample surface; at least one collimating lens intermediate the  
19 at least one light detector and the sample surface; at least one mechanism of measuring the  
20 illumination detected from the sample surface;  
21                    c. at least one reference light detector directed to the lamp output; at least  
22 one shutter intermediate the at least one reference light detector and the at least one lamp  
23 output; at least one mechanism of measuring the illumination detected from the lamp output.  
24  
25                    24    The method of claim 2 further comprising:  
26                    a. using the predicted characteristics of the sample in combination as follows: using  
27 the ratio of the sugar content to acid content to better predict eating quality, taste, sweet/sour  
28  
29  
30

1 ratio: using the combined data from two or more of the following: sugar content, acid  
2 content, pH, firmness, color, external and internal disorders to better predict eating quality.

3  
4 25 The method of claim 2 further comprising:

5 a. sensing sample data including sensing by sample presence sensing means the  
6 presence or absence of a sample conveyed on a sample conveyor while in motion; sensing by  
7 sample position sensing means the position/location of the sample 30 relative to the point of  
8 spectrum measurement; providing presence sensing means and position sensing means  
9 having outputs to a computer program controlled CPU; determining with the computer  
10 program controlled CPU determining if the sample 30 being measured is at the optimal  
11 location(s) for spectrum measurement; determining with the computer program controlled  
12 CPU determining if a sample is present.

13  
14  
15 26 The method of claim 25 further comprising:

16 a. providing presence sensing means is a proximity sensing means for presence  
17 sensing means.

18  
19 27 The method of claim 26 further comprising:

20 a. providing for position sensing means is an encoder or pulse generator (330)  
21 detecting sample conveyor 295 movement and providing one or more electronic or digital  
22 signals to a CPU 172 which initiates, by computer program control, control signals to initiate  
23 and stop acquisition of spectra.

24  
25 28 The method of claim 27 further comprising:

26 a. determining by computer program controlled CPU timing for performing  
27 reference testing of light source lamp, spectrometer performing of reference testing of light  
28 source lamps and of spectrometer receiving spectra input from detectors.

29  
30

1        29 The method of claim 28 further comprising:

2        a. testing of reference including measurement of dark spectra and/or reference  
3 spectra and/or standard/calibration samples.

5        30 The method of claim 29 further comprising:

6        a. using a collimating lens 78 and or other light transmission means including  
7 for example fiber-optics to transfer the light that has interacted with the sample 30 to  
8 the spectrometer(s) 170 detectors 200 to achieve light source lamp light collection  
9 achieved using a collimating lens 78 and or other light transmission means including for  
10 example fiber-optics to transfer the light that has interacted with the sample 30 to the  
11 spectrometer(s) 170 detectors 200; making, if no sample 30 is present, other reference  
12 measurements are made to improve stability and accuracy such as including previously  
13 mentioned dark spectra, reference spectra (lamp intensity and color output), and  
14 standard/calibration samples, which may be optical filters or polymers or organic material  
15 with known and repeatable spectral characteristics; of measurements where such  
16 measurements include that are made when no sample is present include, but are not limited  
17 to 1) measuring a reference spectrum (intensity vs. wavelength) of the light source(s), 2)  
18 measuring the dark current (no light conditions) of one or more spectrometer(s) 170  
19 detector(s) 200, including but not limited to the sample spectrometer(s) 170 and the  
20 reference spectrometer(s) 170, and 3) standard or calibration samples or filters 130 or  
21 material.

24        31 The apparatus of claim 8 further comprising:

25        a. sample presence sensing means for sensing of the presence or absence of a  
26 sample conveyed on a sample conveyor while in motion; sample position sensing means of  
27 the position/location of the sample 30 relative to the point of spectrum measurement;  
28 presence sensing means and position sensing means having outputs to a computer program

30

1 controlled CPU; the computer program controlled CPU determining if the sample 30 being  
2 measured is at the optimal location(s) for spectrum measurement; the computer program  
3 controlled CPU determining if a sample is present.

4  
5 32 The apparatus of claim 31 further comprising:  
6 a. presence sensing means is a proximity sensing means.

7  
8 33 The apparatus of claim 32 further comprising:  
9 a. position sensing means is an encoder or pulse generator 330 detecting sample  
10 conveyor 295 movement and providing one or more electronic or digital signals to a CPU  
11 172 which initiates, by computer program control, control signals to initiate and stop  
12 acquisition of spectra.

13  
14  
15 34 The apparatus of claim 33 further comprising:  
16 a. computer program controlled CPU timing for performing reference testing of  
17 light source lamp, spectrometer performing of reference testing of light source lamps and of  
18 spectrometer receiving spectra input from detectors.

19  
20 35 The apparatus of claim 34 further comprising:  
21 a. reference testing including measurement of dark spectra and/or reference spectra  
22 and/or standard/calibration samples.

23  
24 36 The apparatus of claim 35 further comprising:  
25 a. light source lamp light collection achieved using a collimating lens 78 and or  
26 other light transmission means including for example fiber-optics to transfer the light that  
27 has interacted with the sample 30 to the spectrometer(s) 170 detectors 200-1 if no sample 30  
28 is present, other reference measurements are made to improve stability and accuracy such as

29  
30

1 previously mentioned dark spectra, reference spectra (lamp intensity and color output), and  
2 standard/calibration samples, which may be optical filters or polymers or organic material  
3 with known and repeatable spectral characteristics. M measurements that are made when no  
4 sample is present include, but are not limited to 1) measuring a reference spectrum (intensity  
5 vs. wavelength) of the light source(s), 2) measuring the dark current (no light conditions) of  
6 one or more spectrometer(s) 170 detector(s) 200, including but not limited to the sample  
7 spectrometer(s) 170 and the reference spectrometer(s) 170, and 3) standard or calibration  
8 samples or filters 130 or material.  
9

10

11 37 The method of claim 2 further comprising:

12 a. measuring by reference measurement changes in light source lamp intensity or  
13 color output, a reference spectrometer output and output of spectrometer receiving sample  
14 spectra input from detectors; transmitting light from light source lamps to the reference  
15 spectrometer with detector using a reference light transmission means.  
16

17

18 38 The method of claim 37 further comprising:

19 a. using fiber-optics as the reference light transmission means.  
20

21

22 39 The method of claim 37 further comprising:

23 a. using a light pipe as the reference light transmission means.  
24

25

26 40 The method of claim 37 further comprising:

27 a. positioning the reference light transmission means, at the light source lamp, to  
28 allow only light from the light source lamp to enter the reference light transmission means.  
29

30

31 41 The method of claim 40 further comprising:



1        a. placing at least one light shutter intermediate each light source lamp and each  
2 reference light transmission means; opening and closing the at least one light shutter by  
3 shutter control means.

4  
5        42 The method of claim 37 further comprising:

6        a. measuring, by the reference spectrometer, each light source lamp separately;  
7 inputting the reference spectrometer output to the computer controlled CPU; storing in the  
8 CPU intensity vs. wavelength spectrum profile for each light source lamp; comparing the  
9 stored intensity vs. wavelength spectrum with the reference spectrometer output;  
10 determining from the comparison the condition of the light source lamp.

11  
12  
13        43 The method of claim 2 further comprising:

14        a. using the detected spectrum as a reference spectrum, for purposes of calculating  
15 an absorbance (or log 1/R) spectrum, which is linear with concentration (e.g., percent Brix  
16 or acidity or pounds of firmness, etc.).

17  
18        44 The method of claim 41 further comprising:

19        a. closing all of the light shutters of the reference light transmission means;  
20 allowing a dark current (no light condition) measurement of the spectrometer (170)  
21 detector(s) (200); measuring the dark current and its intensity value at each wavelength (or  
22 detector) pixel; subtracting the measured dark current from a reference spectrum obtained  
23 with the shutters (330) open.

24  
25        45 The method of claim 37 further comprising:

26        a. measuring a reference spectrometer output and a sample spectrometer  
27 output dark current; shielding by shielding means, the input to the reference  
28 spectrometer and the input to the sample spectrometer; inputting the reference

30

1 spectrometer output and the sample spectrometer to the computer controlled CPU;  
2 subtracting the output measured from the reference spectrometer; subtracting the  
3 output measured from the sample spectrometer.  
4

5 46 The apparatus of claim 8 further comprising:

6 a. at least one light detector (80) having at least one output (82) to at least one  
7 spectrometer (170) having at least one detector (200); at least one colluminating lens  
8 (78) intermediate the at least one light detector (80) and a sample (30); the at least  
9 one light detector (80) positioned to detect light from the sample (30); at least one  
10 light source (120) lamp (123); a light shielding means intermediate the at least one  
11 light source (120) lamp (123) and a sample (30); at least one aperture (310) in the  
12 light shielding means to allow illumination of the sample (30) by the at least one light  
13 source (120) lamp (123); at least one light interruption means intermediate the at least  
14 one light source (120) lamp (123) and the at least one aperture (310); the at least one  
15 light interruption means operable by at least one light interruption control means; the  
16 at least one light interruption control means receiving control signals from at least  
17 one CPU (172) having at least one light interruption operating control output; at least  
18 one reference light transmitting means receiving reference light output from the at  
19 least one light source (120) lamp (123); at least one reference light interruption means  
20 intermediate the at least one light source (120) lamp (123) and the at least one  
21 reference light transmitting means; the at least one reference light interruption means  
22 operable by at least one reference light interruption means control means; the at least  
23 one reference light interruption means control means (305) receiving control signals  
24 from at least one CPU (172) having at least one reference light interruption operating  
25 control output (307); the at least one reference light transmitting means (81)  
26 providing an input to the at least one spectrometer (170) detector (200); the at least  
27 one CPU (172) providing at least one lamp power output (125) to the at least one  
28  
29  
30

1 light source (120) lamp (123); the at least one spectrometer (170), receiving input  
2 from at least one reference light transmitting means (81) having at least one output  
3 (82) received as in input to the at least one CPU (172); the spectrometer output (82)  
4 capable of A/D conversion to form input to the at least one CPU (172); the at least  
5 one spectrometer (170), receiving input from at least one detector output (82)  
6 received as in input to the at least one CPU (172); the spectrometer output (82)  
7 capable of A/D conversion to form input to the at least one CPU (172); mounting  
8 means to mount light sources (120) lamps (123), detectors (80), light interruption  
9 means including shutters (300), shutter control means (305), reference light  
10 transmitting means (81) and case (250); encoder/pulse generator (330) input to CPU  
11 (172) providing sample conveyor (295) movement data; computer program to operate  
12 CPU (172) in data collection and control functions.  
13

14  
15 47. The method of 37 further comprising:

16 a. measuring, as a reference measurement, the light source (120) lamp(s)  
17 (123) intensity vs. wavelength output using reflecting means (360); positioning  
18 reflecting means (360) to reflect light from light source lamps to a light detector  
19 having a light detector output which is received by a spectrometer detector.  
20

21 48. The method of 47 further comprising:

22 a. positioning the reflecting means, by reflection position means, to a position  
23 to reflect light from light source lamps to a light detector as dictated by reflecting  
24 control means (308), as an output from a CPU (172), controlling the reflection  
25 position means; the CPU (172), via means, detecting the presence or absence of a  
26 sample (30) and, when a reference measurement is to be made, inserting the  
27 reflecting means as dictated by reflecting control means (308) controlling the  
28 reflection position means as an output from a computer program controlled CPU  
29  
30

1 (172); withdrawing the reflecting means as dictated by reflecting control means (308)  
2 controlling the reflection position means as an output from a computer program  
3 controlled CPU (172).

4  
5 49 The apparatus of claim 8 further comprising:

6 a reflecting means, positioned by reflection position means, to a position to  
7 reflect light from light source lamps to a light detector as dictated by reflecting  
8 control means (308), as an output from a CPU (172), controlling the reflection  
9 position means; the CPU (172), via means, detecting the presence or absence of a  
10 sample (30) and, when a reference measurement is to be made, inserting the  
11 reflecting means as dictated by reflecting control means (308) controlling the  
12 reflection position means as an output from a computer program controlled CPU  
13 (172); withdrawing the reflecting means as dictated by reflecting control means (308)  
14 controlling the reflection position means as an output from a computer program  
15 controlled CPU (172).

16  
17  
18 50 The apparatus of claim 8 further comprising:

19 a, a light reflecting or diffusing body for obtaining the reference spectrum  
20 may also be obtained by mechanical insertion of reference means (430) in or near the  
21 location where actual sample (30) is normally measured, which is between the light  
22 source (120) lamp(s) (123) and reference light transmission means (320) leading to  
23 the sample spectrometer (170) detector (200)(s); insertion is by insertion means  
24 including but not limited to an actuator system (400) capable, upon receiving control  
25 signals or means as recognized by those of ordinary skill including control signals or  
26 means provided from a CPU (172), of operation of an actuator (410) causing a piston  
27 (420) to extend (421) and retract (422); power, including for example electrical,  
28

29  
30

1 pneumatic, hydraulic and other means, is provided to operate the actuator by power  
2 transmission means (440) as will be appreciated by those of ordinary skill.

3  
4 51 The method of claim 2 further comprising:

5 a. illuminating, with at least one light source lamp, the sample interior while  
6 the sample is rolling or revolving, where a rolling measurement generally improving  
7 whole product measurement.

8  
9  
10 52 The method of claim 2 further comprising:

11 a. illuminating, with at least one light source lamp, the sample interior while  
12 the sample is not rolling or revolving, where a non-rolling measurement provides  
13 better accuracy and introduces less spectral noise due to movement.

14  
15 53 The method of claim 2 further comprising:

16 a. obtaining, as a sample (30) passes by the point of spectrum acquisition,  
17 multiple spectra, where each spectrum representing a different measurement location  
18 or area on the product.

19  
20 54 The method of claim 2 further comprising:

21 a. optimizing signal-to-noise and accuracy with small and large samples by 1)  
22 determining the size or weight of the sample by weight or mass sensors common to  
23 the industry; 2) utilizing a color sorter or defect sorter to provide data, e.g., from  
24 camera or CCD images; 3) utilizing other size sensors based on magnetic, inductive,  
25 light reflectance or multiple light beam curtains, common to other industries.

26  
27  
28 55 The method of claim 54 further comprising:

29  
30

1        a. adjusting, in accordance with the relative size of the sample, the hardware  
2 spectrum acquisition parameters or the amount of light, e.g., by varying an aperture  
3 (310) size, to provide an improved signal-to-noise ratio spectrum for large samples  
4 (30) and/or to prevent detector (80) saturation by light for small product sample (30);  
5 e.g., detector (80) exposure or integration time can be set for longer time periods for  
6 large product samples (30) and for shorter time periods for small product.

7  
8        56 The method of claim 2 further comprising:

9        a. improving accuracy by inspection of multiple individual spectra collected  
10 from a single sample; removing poor quality or "outlier" spectra; calculating the  
11 absorbance spectrum from the raw data collected for dark, reference and sample;  
12 inspecting each individual spectrum from the series or batch of spectra acquired for  
13 each individual product sample by a computer program controlled CPU or by  
14 programmed hardware; deleting poor quality spectra from this batch of spectra, using  
15 the remaining spectra for constituent or property prediction; combining the retained  
16 spectra of the product sample with the appropriate reference and dark current  
17 measurements to produce an absorbance spectrum as follows: absorbance spectrum =  
18 -log10 [(sample intensity spectrum- sample dark current spectrum) / (reference  
19 intensity spectrum - reference dark current spectrum)] i.e. the absorbance spectrum is  
20 equal to the negative logarithm (base 10) of the ratio of the dark current corrected  
21 sample spectrum to the dark current corrected reference spectrum.

22  
23  
24        57 The method of claim 56 further comprising:

25        a. combining all of the absorbance spectra for each product sample to  
26 produce a mean or average absorbance spectrum of the product sample; using this  
27 average absorbance spectra to compute the sample component, characteristic or  
28 property of interest based on a previously stored calibration algorithm.

29  
30

1        58 The method of claim 56 further comprising:  
2        a. using each absorbance spectrum individually with the previously stored  
3        calibration algorithm to compute multiple results of the sample component,  
4        characteristic or property of interest for an individual product sample; determining  
5        the average or mean component, characteristic or property of interest by summing all  
6        of the values and dividing the resultant sum by the number of absorbance spectra  
7        used.

9        59 The method of claim 2 further comprising:  
10        a. measuring samples and linking location on product sample where visible/NIR  
11        data was collected with the same location that will be measured by the laboratory reference  
12        technique; calibrating performed as follows: 1) measuring spectra of product sample (30)  
13        and measuring absorbance spectra; correcting for reference and dark current and storing  
14        measurements; 2) undertaking standard laboratory measurements on the product sample  
15        (30); observing that it is important to the success of the NIR method that the portion of the  
16        sample (30) that is interrogated between the light source(s) (120) lamps (123) and light  
17        collection(s) detectors, e.g., light detectors (80), leading to the spectrometer(s) (170)  
18        detectors (200) is the same as that portion measured by the standard laboratory technique.

20        60 The method of claim 59 further comprising:  
21        a. transporting samples, by a sample conveyors (295), to the NIR measurement  
22        location including to a light detector; selecting rolling or not rolling sample conveyor (295)  
23        means; where rolling analyzing the entire sample for the component, characteristic or  
24        property of interest; averaging, if calibration algorithms are constructed in this way (using  
25        measurements of rolling product), all of the retained spectra for that individual product to  
26        produce an average absorbance spectrum and the total product component or property is  
27        assigned to this one absorbance spectrum.

1        61 The method of claim 59 further comprising:  
2        a. transporting samples, by a sample conveyor (295), to the NIR measurement  
3        location including to a light detector; selection not rolling sample conveyor (295) means:  
4        performing laboratory measurements on the same portion of product sample (30) that  
5        spectra were taken from; determining whether to separate a sample into smaller sub-portions  
6        prior to laboratory analysis; adjusting the time period of NIR data acquisition to shorter or  
7        longer times, corresponding to the measurement of smaller or larger product samples (30),  
8        respectively; associating, with each sub-portion of the product sample (30), one or more  
9        spectra associated with that particular location; assigning the laboratory determined  
10       component, characteristic or property of interest to each spectrum or spectra from that  
11       particular location.

13  
14  
15  
16        62 The method of claim 2 further comprising:  
17        A. performing mathematical processing on absorbance spectra prior to  
18        conducting statistical correlation analysis and calibration model building; pre-  
19        processing absorbance spectra using a bin and smooth function; relating by Partial  
20        least squares analysis (or variants thereof such as piecewise direct standardization)  
21        the processed absorbance spectrum to the assigned component and property values  
22        such as Brix, acidity, pH, firmness, color, internal or external disorder severity and  
23        type, and eating quality.

25        63 The method of claim 2 further comprising:  
26        A. minimizing the number of samples needed to develop a calibration model;  
27        collecting spectra on all test samples; performing, prior to destructive laboratory  
28        measurements, principal components analysis (PCA) on the absorbance spectra;  
29

30



1 generating Resultant Score plots from PCA (e.g., Score 1 vs. Score 2, Score 3 vs.  
2 Score 4, etc.); selecting a subset of the original samples (e.g., 40% of the original  
3 number of samples) from the Score plots in either a random fashion or by selecting  
4 samples that, as a group, yield a similar range, mean and standard deviation of score  
5 values compared to the entire group of original samples (30).

6  
7 64 The method of claim 63 further comprising:

8 A. periodically requiring calibration updates to maintain measurement  
9 accuracy; minimizing the efforts of calibration updates; analyzing, as fruit or  
10 vegetable samples are in a packing and sorting warehouse, the visible/near infrared  
11 spectra; examining by computer program controlled CPU, and determining if the  
12 sample qualifies as a potential calibration update sample; selecting calibration update  
13 samples (30) which cover low to high component values and which have Score  
14 values that cover the same range as the original sample's (30) Score values.

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